

6 VAC 20-171-220. Business administrative requirements.

A. A licensee shall:

1. Maintain at all times with the department its physical location in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical location. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents that establish the name change.
3. Report in writing to the department any change in its ownership or principals that does not result in the creation of a new legal entity. Such written report shall be received by the department within 30 days after the occurrence of such change to include fingerprint cards pursuant to this chapter.
4. Report in writing to the department any change in the entity of the licensee that results in continued operation requiring a license. Such written report shall be received by the department within 10 days after the occurrence of such change.
5. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the business to do so shall result in the license becoming null and void.
6. Maintain at all times with the department a completed irrevocable consent for service if the licensee is not a resident of the Commonwealth of Virginia. Licensees that move their business from the Commonwealth shall file a completed irrevocable consent for services within 15 days of the change in location.
7. Employ at all times at least one individual designated as compliance agent who is in good standing and is certified pursuant to 6 VAC 20-171-70 of this chapter and who is not currently designated as compliance agent for another licensee. In the event there is more than one compliance agent designated for the business, designate one as the primary compliance agent and point of contact.
8. Maintain at all times and for a period of not less than 3 years from the date of termination of employment the following documentation concerning all regulants: documentation of the date of hire in the regulated category, documentation that the fingerprint processing application was submitted on the date of hire, verification that the employee is a US citizen or legal resident alien and is properly registered/certified and trained. Current physical and mailing addresses for all regulated employees and telephone numbers if applicable.
9. Upon termination of employment of a certified compliance agent, notify the department in writing within 10 calendar days.
10. Within 90 days of termination of employment of the sole remaining compliance agent, submit the name of a new compliance agent who is eligible for certification pursuant to this chapter and who is not currently designated for another licensee. Individuals not currently eligible may pursue certification pursuant to Part III (6 VAC 20-171-30 et seq.) of this chapter. Such notification shall be in writing and signed by a principal of the business and the designated compliance agent.
11. Prominently display at all times for public inspection in a conspicuous place where the public has access, the business license issued by the department.
12. Ensure that all individuals submit fingerprint cards pursuant to 6 VAC 20-171-30 as required by the Code of Virginia.
13. Inform the department in writing within 10 days of receiving knowledge of any principal, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
14. Inform the department in writing within 10 days of receiving knowledge of any principal, licensee, subsidiary, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter, having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

15. On a form provided by the department and within 10 calendar days of receiving knowledge of the incident, submit a report of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise.

16. In the event a complaint against the licensee is received by the department, be required to furnish documentary evidence (written agreement) of the terms agreed to between licensee and client, which shall include at a minimum the specific scope of services and fees assessed for such services. The licensee shall retain a copy for a period of not less than three (3) years from completion of said agreement.

17. Shall not fail to honor the terms and conditions of a warranty or written agreement.

18. In the event a licensee sells or otherwise transfers the ownership of a monitoring agreement of an electronic security customer, the licensee is required to notify the end user, in writing, within 30 days of the transfer of monitoring services. No licensee shall sell to an entity not licensed in Virginia.

19. Shall ensure that all regulated employees carry a state issued photo identification card along with their registration or certification card, unless the card is one in the same.